

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ELIZABETH R. LEWIS,

Plaintiff,

v.

WELLS FARGO BANK, N.A., s/b/m
WACHOVIA MORTGAGE, F.S.B., f/k/a
WORLD SAVINGS BANK, F.S.B.

Defendant.

Civil Action No. 1:13-cv-11896-RWZ

**ASSENTED-TO MOTION TO AMEND BRIEFING SCHEDULE ON
DISPOSITIVE MOTIONS**

Pursuant to Fed. R. Civ. P. 6(b), the Defendant, Wells Fargo Bank, N.A., successor by merger to Wells Fargo Bank Southwest, N.A., formerly known as Wachovia Mortgage, FSB., formerly known as World Savings Bank, FSB (“Wells Fargo”), respectfully moves, with the assent of the Plaintiff, Elizabeth R. Lewis (“Plaintiff”), for the Court to amend the briefing schedule on dispositive motions by fifteen days, and to reschedule the hearing on dispositive motions presently scheduled for March 5, 2015 at 2:30 p.m., to a date convenient with the Court’s schedule. As good cause for the granting of this Motion, Wells Fargo states as follows:

1. On May 29, 2014, the Court held a scheduling conference in this matter at which time the Court set the following briefing schedule on dispositive motions:

<u>FILING / COURT EVENT</u>	<u>DEADLINE</u>
Dispositive Motions	January 30, 2015
Oppositions to Dispositive Motions	February 20, 2015
Reply to Oppositions to Dispositive Motions	February 27, 2015

Hearing on Dispositive Motions	March 5, 2014 at 2:30 p.m.
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2. Wells Fargo's counsel has prepared its motion for summary judgment to be filed in this matter, however, due to a shortage of personnel at Wells Fargo who deal with the particular type of "Pick-A-Payment" loan that is the subject of this matter, Wells Fargo is unable to file the client affidavit in support of the summary judgment motion by the January 30, 2015 deadline. At present, only one Wells Fargo representative, Cynthia Turner, is responsible for client affidavits involving matters with these types of loans, and despite her best efforts, additional time is necessary for Ms. Turner to review and execute the client affidavit to be filed in support of Wells Fargo's motion for summary judgment.

3. This brief fifteen-day extension of the dispositive motion briefing schedule will not will not prejudice any of the parties in this matter, nor will it unduly delay these proceedings.

4. In addition, Plaintiff's counsel, Glenn F. Russell, Jr., Esq., has assented to the extension that Wells Fargo seeks by this Motion.

WHEREFORE, Wells Fargo respectfully requests that the Court grant this motion, and amend the briefing schedule on dispositive motions as follows:

<u>FILING / COURT EVENT</u>	<u>NEW DEADLINE</u>
Dispositive Motions	February 16, 2015
Oppositions to Dispositive Motions	March 9, 2015
Reply to Oppositions to Dispositive Motions	March 16, 2015
Hearing on Dispositive Motions	A date convenient with the Court's schedule.

Respectfully submitted,

WELLS FARGO BANK, N.A., s/b/m
WACHOVIA MORTGAGE, F.S.B., f/k/a
WORLD SAVINGS BANK, F.S.B.

By its attorneys,

/s/ David M. Bizar

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Dated: January 30, 2015

LOCAL RULE 7.1(a)(2) CERTIFICATE

Counsel for Wells Fargo certifies that, pursuant to Local Rule 7.1(a)(2), this office conferred with the Plaintiffs' counsel, Glenn F. Russell, Jr., Esq., regarding the extension of time requested in this Motion, and Attorney Russell assented to the requested extension.

/s/ David M. Bizar

David M. Bizar

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on January 30, 2015.

/s/ David M. Bizar

David M. Bizar